

REMARKS/ARGUMENTS

Reconsideration of the present application is respectfully requested.

Since the present amendment raises no new issues for consideration and, in any event, places the present application in better condition for consideration on appeal, it is respectfully requested that this amendment be entered under 37 C.F.R. § 1.116 in response to the last Office Action dated January 28, 2008, which made final rejections as to the pending claims.

A. Status of the Claims

Claims 1-5 are presented for continued prosecution.

B. Claim Amendments after the Final Office Action

Claims 1 and 5 have been amended to clarify that the radial holes which emit compressed air are formed in the mobile cylinder. Support for this amendment can be found in lines 8-10 on page 3 and in Figure 2 of the application.

It is believed that the Examiner's previous search included the limitations of currently amended claims 1 and 5. It is therefore urged that the current amendments should be entered in response to the final Office Action.

Prior to the current amendment, lines 1-4 of claims 1 and 5 recited "radial holes (E, E') for emitting compressed air in order to allow the introduction and removal of a print sleeve (S) ... a mobile cylinder (M) carrying said print sleeve (S)". Thus, the prior version of claims 1 and 5 specified that the radial holes facilitate removal of the print sleeve, and that the mobile cylinder carries the print sleeve. When constructing the claims in light of the specification, it is clear that the prior version of claims 1 and 5 specify that the radial holes are formed in the mobile cylinder. In this way, the compressed air emitted from the mobile cylinder facilitates replacement of the print sleeve, as explained in lines 8-10 on page 3 and illustrated in Figure 2 of the application.

It is believed that the Examiner's previous prior art search included the location of the radial holes. For example, in lines 4-6 in section 2 of the current Office Action, the Examiner cited Prem to teach "a print cylinder, 22, provided with radial holes for emitting compressed air" (emphasis added). Thus, the Examiner's previous search included the limitations of currently

amended claims 1 and 5. It is therefore believed that the current amendments should be entered in response to the final Office Action.

C. The Office Action

Claims 1, 2 and 5 had been rejected as being unpatentable over Prem (U.S. 5,802,975) in view of Gayle (U.S. 6,401,613). Claims 3 and 4 had been rejected as being unpatentable over Prem in view of Gayle and Guaraldi (U.S. 5,241,905).

In the prior amendment dated November 5, 2007, Applicant argued, among other things, that Gayle does not teach or suggest a fixed shaft on which there is slidably mounted a mobile cylinder. It was argued that element 10 of Gayle is a fixed cylinder and element 50 of Gayle is a print sleeve.

In section 4 of the current Office Action, the Examiner broadly interpreted the claims, and made a rejection based on the position that element 10 of Gayle "acts as" a shaft for the cylinder, and that element 50 of Gayle is a mobile cylinder since it is "slidably mounted and cylindrically shaped". Thus, the Examiner stated that element 10 of Gayle is the claimed shaft, and element 50 of Gayle is the claimed mobile cylinder.

1. Element 50 of Gayle is not the claimed mobile cylinder having radial holes for emitting compressed air

As summarized in section C above, the Examiner explained in section 4 of the Office Action that the claims were being broadly interpreted. Thus, element 50 of Gayle was considered to be the claimed mobile cylinder, since element 50 is slidably mounted and cylindrically shaped.

Element 50 of Gayle is a print sleeve (see col. 2, lines 56-64, and col. 4, lines 9-10), not the claimed mobile cylinder. This is abundantly clear to those in the art. To clarify this distinction, Applicant has amended claims 1 and 5 to specify that the mobile cylinder has radial holes for emitting compressed air in order to allow introduction and removal of a print sleeve. This limitation was previously searched by the Examiner, as Prem was cited to teach print cylinder 22 provided with radial holes for emitting compressed air (see lines 4-6 in section 2 of the current Office Action).

Element 50 of Gayle does not include radial holes for emitting compressed air to allow replacement of a print sleeve as recited in claims 1 and 5. This is true because element 50 is a print sleeve, not a print cylinder. The print cylinder of Gayle is element 10 (see col. 2, lines 56-58). Print cylinder 10 of Gayle allows air to pass through duct 14 to facilitate replacement of print sleeve 50 (see col. 4, lines 9-12). Duct 14 is located in print cylinder 10, not in print sleeve 50. Thus, element 50 of Gayle, which the Examiner has broadly interpreted to be the claimed mobile cylinder, does not have radial holes for emitting compressed air as recited in claims 1 and 5.

Applicant respectfully submits that claims 1, 2 and 5 are not obvious based on a combination of Prem and Gayle.

2. The Examiner has improperly combined the teachings of Prem and Gayle

Prem had been cited to teach print cylinder 22 and print sleeve 24 (see lines 4-6 in section 2 of the Office Action). As illustrated in Figure 3 of Prem, print sleeve 24 can be removed from print cylinder 22.

In lines 1-2 on page 3 of the Office Action, the Examiner acknowledged that Prem does not teach the claimed mobile cylinder. Element 50 of Gayle was therefore cited as the claimed mobile cylinder. Based on such a rejection, Applicant respectfully submits that the Examiner is inconsistently reading Prem and Gayle. The combination of these references to reject the claimed invention is therefore believed to be improper.

The Examiner followed the explicit teachings of Prem, and correctly identified element 22 as a print cylinder and element 24 as a print sleeve. However, contrary to the explicit teachings of Gayle, the Examiner identified element 10 as a shaft (when element 10 is specifically described as a print cylinder) and element 50 as a mobile cylinder (when element 50 is specifically described as a print sleeve). It is unclear why the Examiner followed the explicit teachings of Prem, but not the explicit teachings of Gayle.

The Examiner is respectfully reminded that it is improper to use hindsight to reject claims. In the current application, one of the novel aspects of the invention is the claimed mobile cylinder which carries the print sleeve, where the mobile cylinder has radial holes for emitting compressed air. This aspect of the invention is recited in claims 1 and 5. It is not taught by Prem or Gayle.

Prem teaches fixed cylinder 22 that carries sleeve 24, and Gayle teaches fixed cylinder 10 that carries sleeves 50 and 52. Thus, the teachings of Prem and Gayle are cumulative, in that both references teach fixed cylinders, not mobile cylinders. Moreover, neither reference teaches the claimed mobile cylinder having radial holes for emitting compressed air to allow introduction and removal of a print sleeve.

Applicant respectfully submits that claims 1, 2 and 5 are not obvious based on a combination of Prem and Gayle.

3. Rejections including Guaraldi

Claims 3 and 4 had been rejected as being unpatentable over Prem in view of Gayle and Guaraldi.

Claims 3 and 4 ultimately depend upon claim 1. Applicant respectfully submits that Guaraldi does not cure the deficiencies of Gayle and Prem with regard to claims 1 and 5 as argued above. It is therefore believed that all the claims are patentable over the cited references taken alone or in combination.

D. Fees

This Response is being filed within two months from the mailing date of the final Office Action.

No fee is believed to be due. If, on the other hand, it is determined that fees are due or any overpayment has been made, the Assistant Commissioner is hereby authorized to debit or credit such sum to Deposit Account No. 02-2275. Pursuant to 37 C.F.R. 1.136(a)(3), please treat this and any concurrent or future reply in this application that requires a petition for an extension of time for its timely submission as incorporating a petition for extension of time for the appropriate length of time. The fee associated therewith is to be charged to Deposit Account No. 02-2275.

E. Conclusion

In view of the arguments presented, it is respectfully submitted that each and every one of the matters raised by the Examiner has been addressed by the present amendment and that the present application is now in condition for allowance.

An early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

LUCAS & MERCANTI, LLP

By:



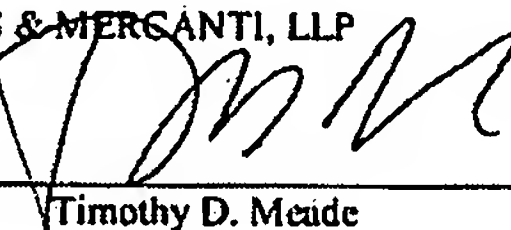
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